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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,579	04/13/2001	Masatoshi Takano	109049	5627

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EXAMINER

TSAI, CAROL S W

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 04/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/833,579

Applicant(s)

TAKANO ET AL.

Examiner

Carol S Tsai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3 and 5-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding claims 1, 5, 6, and 7, the phrase "and the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).
4. Regarding claims 1-3 and 5-7, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by JP2000029900 to Ichikawa et al.

With respect to claims 1-7, Ichikawa et al. disclose a calculation method of a discharge and transfer amount of chemical substances, comprising: a step of inputting and storing a data which indicates a material, a use step of the material and a use amount of the material which are transmitted from a client terminal through a network (see Figs. 1, 4, and 5); a step of searching for a database of material components storing a contained chemical substance and content thereof corresponding to the material by using the inputted material as a key, and searching for the chemical substance contained in the material and the content (see paragraph 0013 of Detailed Description); a step of searching for the database of a material balance coefficient which stores a ratio in which the chemical substance is discharged and transferred by every separate whereabouts of the chemical substance selected from the group including air, water basin, or a product corresponding to the chemical substance and the use step of the material by using the searched chemical substance and the inputted use step of the material as a key, and searching for the discharge and transfer ratio by every separate whereabouts when the searched chemical substance is used in the inputted use step of the material (see paragraphs 0014-0022 of Detailed Description); a step of calculating the discharge and transfer amount of the chemical substances by every separate whereabouts based on the searched discharge and transfer amount, the inputted use amount of the material, and the searched contents and a step of transmitting the calculated discharge and transfer amount by every separate whereabouts when the searched chemical substance to a client terminal through a network (see paragraphs 0023-0036, 0038, and 0039 of Detailed Description).

As to claims 8 and 9, Ichikawa et al. also disclose a material supplier server being connected to a network and a material component database being updated based on data transmitted from the material supplier server (see paragraph 0023 of Detailed Description).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa et al. in view of U. S. Publication 2002/0026339 to Frankland et al.

As noted above, Ichikawa et al. disclose the claimed invention, except for a material component database storing link information indicating an address of which the component information each material that exists in the material supplier server.

Frankland et al. teach a material component database storing link information indicating an address of which the component information each material that exists in the material supplier server (see paragraphs 0088, 0264, 0421, and 0424).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al.'s method to include a material component database storing link information indicating an address of which the component information each material that exists in the material supplier server, as taught by Frankland et al., in order that the original record into which the record of discharge and transfer has been read can be tracked.

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As to claim 11, Ichikawa et al. do not disclose a client terminal capable of browsing a material component database is restricted by material.

Frankland et al. teach a client terminal capable of browsing a material component database being restricted by material (see paragraphs 0050, 0068, 0262, 0440, 0444).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al.'s method to include a client terminal capable of browsing a material component database being restricted by material, as taught by Frankland et al., in order that a web browser user can communicate with the metadata and layers on a server from anywhere in the world (see Frankland et al. paragraph 0075).

As to claims 12 and 13, Ichikawa et al. do not disclose a client terminal having a function for printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances.

Frankland et al. teach a client terminal having a function for printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and transfer amount of chemical substances (see Figs. 12 and 13 and paragraphs 0047, 0170, 0174, 0176, 0180, 0184, 0191, 0196, and 0408).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ichikawa et al.'s method to include a client terminal having a function for printing out in a document format a discharge and transfer amount by every separate whereabouts of chemical substances transmitted from the server for calculating a discharge and

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transfer amount of chemical substances, as taught by Frankland et al., in order that results of calculations being printed in a document of specified format can be submitted to public agencies by e-mail and facsimile.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kitamoto et al. disclose a substrate processing system comprising a substrate processing apparatus, an information storage server and a support computer, which are connected to a network respectively.

Farmer et al. disclose an integrated, data-centric hazard communication system.

Mastsui et al. disclose an environmental performance improvement support system and an environmental performance improvement support method that support to improve effects on the environment due to release of chemical substances.

Kakihana et al. disclose a method of support of environmentally concerned design of manufactured goods, making it such that a manufacturer can easily entrust environmental evaluation of manufactured goods to an external environmental evaluator, and the burden pertaining to environmental evaluation of manufactured goods of a manufacturer can be alleviated.

Larkin et al. disclose a case management system having a central data store comprising at least one data storage unit.

Fukatsu et al. disclose an environmental information system arranged to effectively

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provide environmental information.

Sekine et al. disclose a method and system for management of chemical materials comprising providing a first data set containing which substances comprise the materials, providing a second data set containing which of the substances are to be controlled, the substances being categorized by a group control number, and providing a third data set containing a ratio of discharge of the controlled substances in a process and analyzing a preset amount of the materials in the process and determining a quantity of the controlled substances utilizing the first and second data sets, and determining an emissions quantity of the controlled substances utilizing the ratio and the quantity of the controlled substances and wherein the group control number is the same for the substances in the same group.

Smalley et al. disclose a regulatory agency with the responsibility of administering regulations using a system with joint-usage capabilities, including data about regulated entities that are subject to the laws and rules administered by the agency and software for accessing the data.

Fujii et al. disclose a river management system for controllably operating devices of management facilities installed at pluralities of rivers and waterways to manage water volumes in a river network including the pluralities of rivers and waterways.

Sturgeon et al. disclose apparatus that provides an integrated approach for all management activities for hazardous substances used or generated at a facility, including form generation and compliance with the reporting requirements.

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Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. Tsai whose telephone number is (703) 305-0851. The examiner can normally be reached on Monday-Friday from 7:30 AM to 4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (703) 308-1677. The fax number for TC 2800 is (703) 308-7382. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2800 receptionist whose telephone number is (703) 308-1782.

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging FAXing of responses to Office actions directly into the Group at (703) 308-7382. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800 will be promptly forwarded to the examiner.

Carol S. Tsai

03/13/03


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
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